

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16903 of 2016

Arising Out of PS.Case No. -279 Year- 2015 Thana -BEUR District- PATNA

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Bishwajeet @ Mukesh Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. J.N. Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 29.12.2015 in a case registered for the offences punishable under Sections 20 and 22 of NDPS Act and sections 25(1-B) a, 26 and 35 of the Arms Act.

On confidential information that the miscreants are carrying ganja, raid was laid when the petitioner was found carrying ganja on autorickshaw.

It is submitted by the learned counsel for the petitioner that the weight of the seized contraband is speculative and it was between small and commercial quantity. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that the investigation has already concluded.

Considering the fact that recovery is between small and commercial quantity, the petitioner having no criminal antecedent and the fact that the investigation has already concluded, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II, patna in connection with Special Case No. 52 of 2015 (Beur P.S. Case No. 279 of 2015.

Considering the criminal antecedent of the petitioner, the learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the petitioner gets involved in similar offence or defaults without any reasonable cause on three consecutive occasions.

(Dinesh Kumar Singh, J)

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